

AGENDA ITEM

MARCH 2008 MOC IIIE
Revisions to the Membership
List Policy - Request for
Public Comment

DATE: February 22, 2008

TO: Members of the Board Committee on Member Oversight

FROM: Dina DiLoreto, Director of Administration, Member Services

SUBJECT: Revisions to the Membership List Policy- Further Amendments - Request for Additional Public Comment

ATTACHMENTS:

- Appendix A: The State Bar of California Membership List Policy (with proposed amendments)
- Appendix B: Updated Chart of Member Label>List Requests 2005/2006/2007
- Appendix C: Updated Chart of Growth in "Opt-outs" Includes All Members in Active & Inactive Classes
- Appendix D: Summary of Public Comment Received to Date

EXECUTIVE SUMMARY

Staff submits **further** proposed amendments to the Membership List Policy ("MLP") as a necessary and appropriate response to Assembly Bill ("AB") 3080 (Ch 356, Stats 2004).

AB 3080 amended the State Bar Act to ensure member awareness about the choice of opting-out of third party mailings generated from the State Bar membership list. The use of the membership list is restricted by the MLP first approved by the Board of Governors in 1981 and amended several times, most recently in response to AB 3080 in 2005.

The State Bar's compliance with AB 3080 has been successful. Since beginning compliance with AB 3080 in August 2004, the percentage of members' opting-out has risen from 6.7% to the current 19.76%. The steady growth in opt-outs threatens the efficacy of the membership list as a primary communication and marketing tool with members about member services and benefits. Opting-out by members is **permanent** and precludes any contact generated by the membership list except official State Bar and other judicial branch entity mailings.

The MLP amendments submitted to the Board Committee on Member Oversight ("MOC") last February 20, 2007, reduced the frequency of access to the membership list. The reduction in requests was mostly complied with voluntarily, except in the case of private commercial MCLE providers who continue to make up the majority of the total requests. An updated chart of the requests is attached as Appendix B. Staff submits further amendments for public comment that will eliminate commercial MCLE providers from the MLP, provide State Bar sponsored programs with two no cost lists in return for targeted and coordinated mailings, and reduce the minimum costs for local and specialty bars.

MOC is requested to circulate the proposed MLP amendments to the membership list policy for a ninety-day (90) public comment period. MOC will receive and review comments and any further proposed amendments at its July 2008 meeting.

Board members with questions or concerns may contact Dina DiLoreto at (415) 538-2121 or dina.diloreto@calbar.ca.gov.

BACKGROUND

The State Bar Act (Bus. & Prof. Code § 6000 et seq.) provides for the licensing and regulation of attorneys by the State Bar of California. All attorneys practicing in the state must register with and be active members of the State Bar of California. As part of the registration process, members are required to provide a current office address and telephone number “to be used for State Bar purposes” (Bus. & Prof. Code § 6002.1).

One of the purposes of the address requirement is for notification of State Bar proceedings and other regulatory information—which may be mailed to members’ current office address. (Bus. & Prof. Code § 6002.1(c).) In addition, the office address is a public record available to courts, public agencies, clients, and others for regulatory purposes and, thus, discloses vital information that serves an important public policy. (See, *Mack v. State Bar of California*, 92 Cal.App.4th 957, 962, 112 Cal.Rptr.2d 341 (2002), citing *Lorig v. Medical Board*, 78 Cal.App.4th 462, 467, 92 Cal.Rptr.2d 862 (2002).)

In addition, the Board of Governors has established a Membership List Policy,¹ which it has revised several times, most recently in 2005. The MLP describes the use of the membership list by qualified outside entities providing services, information, or products that further the public policies of the State Bar (e-mail addresses are **not** included).

Assembly Bill 3080 (Ch. 356, Stats of 2004)

AB 3080 amended §6001 of the Business & Professions Code (Section 6001), to provide members with a notice of the State Bar’s practices, and the opportunity to “opt-out” of inclusion of their member information.² Although AB 3080 did not go into effect until January 1, 2005, the State Bar has been actively working to implement its provisions since August 31, 2004 (the online opt-out was live August 4, 2004). The following steps have been taken:

¹ See Appendix A

²Section 6001(g) provides as follows: “The State Bar shall conspicuously publicize to its members in the annual dues statement and other appropriate communications, including its Web site and electronic communications, that its members have the right to limit the sale or disclosure of member information not reasonably related to regulatory purposes. In those communications the State Bar shall note the location of the State Bar’s privacy policy, and shall also note the simple procedure by which a member may exercise his or her right to prohibit or restrict, at the member’s option, the sale or disclosure of member information not reasonably related to regulatory purposes.”

- 1) The State Bar requires every piece of mail sent by a qualified entity under the MLP (e.g., Mandatory Continuing Legal Education ("MCLE") providers, local bar associations, and Foundation sponsors) to include the following language:

If you do not wish to have your name included in the State Bar membership lists the Bar shares, at cost, to the limited group of outside entities specifically designated in the Bar's membership list policy, please e-mail memrec@calbar.ca.gov or call the Membership List Coordinator with the State Bar of California at 415-538-2577 to have your name removed. For a copy of the State Bar Membership List Policy, go to the homepage of the State Bar web site at www.calbar.ca.gov and click "Opt-Out of List Sales" in the center of the page, or go to "*My State Bar Profile*," and select "Update My Mailing Preferences."

- 2) The 2004 Annual Dues Statement mailed on November 15, 2004, included an insert containing language similar to the language listed above. Under the heading, "Your Right to Opt-Out of the Membership Mailing List for Non-Regulatory Purposes," pages 5 and 6 of the three-fold material contains information on how to opt-out on the Web, by e-mail and by telephone. In addition, the Statement includes the following language, which gives members notice that opting-out does not mean that a member's information is not public:

"Official membership information will still be available on the State Bar's Web site with other public records, as required by section 6002.1 of the California Business & Professions Code. Opting-out simply means that a member's name and address will no longer be included on the membership list that the State Bar provides to approved entities under its Membership List Policy."

- 3) "Opt-Out of List Sales" is listed on the State Bar's home page and it links to a summary of the "Membership List Policy"³ as well as the Bar's "Privacy Policy". In addition, clicking on "Member Services" on the home page will take a State Bar member directly to a page with a list of features in *My State Bar Profile*, including the opportunity to "opt-out" of the promotional mailing list.
- 4) Members who elect to register with *My State Bar Profile* (same as the "Member Login" item listed in #3) are given the clear option to:

Change my address, phone numbers, and opt-out preference

In the section titled "**Opt-Out Preference**," bar members are then given the option to check (or not) a box that says:

**Yes, send me promotional mail from Bar-approved entities
(Policy)**

The word "Policy" is linked to a page that summarizes the Bar's Promotional Mailing List Policy, as well as links to Business & Professions Code Section 6001, the Web Privacy Policy and the complete Membership List Policy.

³ See Appendix A.

- 5) Subdivision (d) of Article 2 of the Rules and Regulations of the State Bar, relating to "Public Communications," has been revised as follows:

d. At the time of admission, each member of the State Bar shall be advised of this policy and of the purposes for which the member's name and address may be released. At that time, or at any time thereafter, the member may elect to have his or her name deleted from all lists released to outside entities under this policy if the member so chooses. *In addition, notice of this policy and the member's right to remove his or her name from the membership lists under this policy, shall be provided to each member in the annual dues statement and other appropriate communications, including the State Bar's Web site and other electronic communications. The notice shall note the simple procedure by which a member may exercise his or her right to prohibit or restrict, at the member's option, the sale or disclosure of member's name and address under this policy.*

Number of Members Opting Out

Since the implementation of AB 3080 in August of 2004, the number of members' opting out has increased from **13,432 (6.9%)** prior to August 31, 2004, to the most recent tally of **42304 (19.8%)** on February 1, 2008. Appendix C details the consistent growth in member opt-outs since the implementation of AB 3080.

Conclusion

In short and in sum, the State Bar has gone the extra mile to comply with the intent of AB 3080. The State Bar must further limit its MLP to preserve the efficacy of the membership list to assist the State Bar's purposes. The proposed amendments is a first step to reducing the amount of mail generated by the MLP. Moreover, the amendments will require development of alternative strategies to contact members about services and benefits.

The proposed MLP additional amendments represent a significant change in eliminating commercial MCLE providers as MLP entities. It is anticipated that some MCLE providers will strongly resist the proposed MLP amendment. However, the availability of other list sources for MCLE providers –local bars, legal directories, and their own internal lists reduces the need for the State Bar member list. Moreover, when MCLE was implemented in 1992 as a new program, the use of the membership list to solicit programs may have been justified. Today there are over 1300 State Bar approved MCLE providers, all of whom can request the membership list.

The proposal to grant up to two no cost lists to the State Bar sponsored insurance and affinity partners is contingent on agreement by the partners to coordinate mailings as part of a agreed upon marketing strategy designed to minimize the amount of mail sent to members, develop new strategies for member contact, and maximize revenue and benefits to the State Bar and its members.

Finally, the reduction of the minimal cost of electronic lists from 400.00 to 40.00 will benefit local and specialty bars that often send request smaller numbers of member information.

The proposed MLP amendments also vests discretion with the Executive Director or her designee to grant exceptions to and restrictions of access to the membership list.

FISCAL IMPACT

No fiscal impact is anticipated at this time.

BOARD BOOK/ADMINISTRATIVE MANUAL IMPACT

There is no board book impact at this time.

RECOMMENDATIONS AND RESOLUTIONS

Should the Board Committee determine to adopt the recommendation of staff it would be appropriate to adopt the following resolution:

RESOLVED, that the Board Committee on Member Oversight (MOC) approves the proposed amendments to the State Bar Member List Policy in the form attached to these minutes and made a part thereof for a ninety-day (90) public comment period; and it is

FURTHER RESOLVED, that this authorization for release for public comment is not, and shall not be construed as, a statement or recommendation of approval of the proposed item.

STATE BAR OF CALIFORNIA MEMBERSHIP LIST POLICY
Effective 01/01/09

- A. Except where otherwise specifically provided herein, the State Bar's membership list ("the list") consists of names and addresses for all active members of the State Bar, except for those who have requested that their names be deleted from the list opt-out status.
- B. Except where otherwise specifically provided herein, the list, or portions of the list, may be provided requested in electronic form or hard copy and provided on no more than two occasions within a calendar year to the following entities or individuals for the purposes indicated which hereby are approved by the State Bar as furthering its own public purposes and for their one-time use:
1. All State Bar of California approved MCLE providers and providers of MCLE approved activities Local, national and specialty associations of attorneys, including the State Bar Sections and other State Bar Departments, for purposes of marketing these Minimum Continuing Legal Education (MCLE) activities to the members.
 2. Underwriters, brokers and administrators of the State Bar approved insurance and affinity programs for marketing, billing and claims purposes, and other purposes and duties related to these programs. The list may include inactive members and judges. Date of birth, and date of admission, and section membership may be provided for use in selecting the appropriate type of insurance or affinity product a member may be interested in. The list may be provided at no cost twice per year for State Bar coordinated mailings, and up to twice more per year at regular cost.
 3. Local, national and specialty associations of attorneys that are qualified as tax exempt under Section 501(c) of the Internal Revenue Code for solicitation of membership or funds to support the association's activities in furtherance of the State Bar's public purposes. Date of admission may be provided for marketing purposes only.
 4. Lawyer referral services that are approved by the State Bar and operated in compliance with the Minimum Standards for a Lawyer Referral Service in California for recruitment and solicitation of funds to support activities in furtherance of the State Bar's public purposes.
 5. Legal aid societies that make available free or low cost legal services to the indigent or those of low income, or organizations formed for charitable or other public purposes which that furnish legal services to persons in respect to their civil or constitutional rights that are qualified as tax exempt organizations under Section 501(c) of the Internal Revenue Code for solicitation of membership or funds to support activities in furtherance of the State Bar's public purposes.
 6. Courts and other government entities.
 7. Potential candidates (and designees) for election to the State Bar Board of Governors, for purposes related to the candidacy, provided that the list is limited

to active members in good standing, whose principal place of business is located within the potential candidate's State Bar district and provided that the list is requested no earlier than the date that the Secretary announces the Board of Governors election schedule and no later than the date the eligibility list closes.

8. Candidates for election to the State Bar Board of Governors or the California Young Lawyers Association Board of Directors, for purposes of their candidacy, from the date the eligibility list closes until the last day for voting.
9. ~~Established publishers of legal directories for purposes of preparing written hard copy or electronic directories who agree to:~~
 - a. ~~Not engage in the sale of mailing lists or labels;~~
 - b. ~~Not release the directory or any portion thereof in a form other than the directory format;~~
 - c. ~~Include a written statement notifying users that use of the information contained therein is limited to the subscriber of the directory; and~~
 - d. ~~Prohibit reproduction of any portion of the mailing list in any form without the permission of the publisher and the State Bar.~~

- 10.9.** The Foundation of the State Bar of California to aid in matters pertaining to the advancement of the science of jurisprudence or the improvement of the administration of justice and for the solicitation of funds to support activities in furtherance of the State Bar's public purposes. The list provided may include inactive members.
- C. Entities or individuals approved under this policy, wishing to purchase the list must file with the State Bar a signed Agreement for Use of the list and a signed Hold Harmless agreement on forms provided by the State Bar. ~~The Agreement for Use may provide for the multiple use of the list during the effective dates of the agreement.~~
1. Entities or individuals must also provide, in advance of each request, a written statement of the use to be made of the list and a mock up or copy of each proposed mailing piece for State Bar approval.
 2. Upon approval, the State Bar will fulfill the request and bill the requesting entity or individual according to the current fee schedule for each use of the membership list.
 3. The requesting entity or individual must agree to include a designated State Bar staff name and address in all mailings to assure that a copy of items mailed using the list are sent to the State Bar.
- D. At the time of admission, each member of the State Bar shall be advised of this policy and of the purposes for which the member's name and address may be released. At that time, or at any time thereafter, the member may elect to have his or her name deleted from all lists released to outside entities under this policy if the member so chooses. In addition, notice of this policy and the member's right to remove his or her name from the membership lists under this policy, shall be provided to each member in the annual dues statement and other appropriate communications, including the State Bar's Web site and other electronic communications. The notice shall note the simple procedure by which a member may exercise his or her right to prohibit or restrict, at the member's option, the sale or disclosure of member's name and address under this policy.

- E. Requests for exceptions to the terms of this policy shall be referred to the Executive Director of the State Bar or designee if so delegated and granted on a case-by-case basis in furtherance of the State Bar's public purposes.
- F. The Executive Director or her designee may restrict the use and number of labels, lists and electronic files provided to outside entities.

**FEE SCHEDULE effective 9/22/98 for Each Use of Membership List
Effective 01/01/09**

Labels and lists: 4 cents per name with a minimum of \$40.00, plus mailing costs.
(Gummed Labels / Cheshire /8 ½ x 11 list)

Electronic file: 4 cents per name with a minimum of \$400.00 \$40.00.

The cost of providing labels will be added along with mailing costs.

APPENDIX B: STATE BAR MEMBER LABELS/LIST REQUESTS 2005-2007

<u>JANUARY 2005</u>		<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
ENTITY					
1 Santa Cruz Co Bar / Linda Martin	County Bar	Membership Drive		625	\$40.00
2 LA County Bar / Gail Coleman	County Bar	MCLE program		2,246	\$89.84
3 Kindt Legal / Gary Kinder	MCLE Provider	Writing Techniques		42,781	\$1,711.24
4 Contra Costa City Attorney	Specialty Bar	MCLE lunch		3,123	\$400.00
5 Law.Com / Cicero DeGuzman	MCLE Provider	MCLE course, reminder card		45,711	\$1,828.44
6 Lorman / Alicia	MCLE Provider	MCLE courses		3 files 15,000 each	\$1,800.00
7 Lorman / Alicia	MCLE Provider	MCLE courses		2 files 1=12,536 1=10,764	\$932.00
8 Lawyer Referral Svcs of S. Barbara	Lawyer Referral Service	solicit for membership		1,184	\$47.36
9 Richard Leland / Butte County Bar	County Bar	solicit for membership		318	\$40.00
10 Christine Morrissey / Contra Costa Bar	County Bar	Bridging the Gap		62	\$40.00
11 Nikki McKenna / Queens Bench	Specialty Bar	2005 Induction Ceremony		580	\$40.00
12 Janis Cartwright / Orange County Bar	County Bar	solicit for membership		231	\$40.00
13 Jennifer Roth / CA Special District Assn	MCLE Provider	Legal Symposium outline of events		8,555	\$400.00
14 Research for Strategic Management	MCLE Provider	Ethics and Bias MCLE credits		16,181	\$647.24
15 National Law Foundation	MCLE Provider	MCLE Self Study: Share and Save		39,638	\$1,585.52
16 Alicia / Lorman	MCLE Provider	IP Licensing & Prot. and Bankruptcy/Lit		2 files 1=15,000 1=12,816	\$1,112.64
17 Alicia / Lorman	MCLE Provider	Family Law and Legal Writing Rules		3 files 2=15,000 1=12,784	\$1,711.36
				TOTAL	\$12,465.64
<u>FEBRUARY 2005</u>		<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
ENTITY					
1 Consumer Attnys Assn of LA	MCLE Provider	Program outline		11,022	\$440.88
2 Alicia / Lorman	MCLE Provider	2 MCLE program outline		2 files 1=15,000 1=10,682	\$1,027.28
3 Alicia / Lorman	MCLE Provider	4 MCLE program outlines		3=15,000 1= 12,468	\$2,298.72
4 Karen Benjamin / LA County Bar	County Bar	solicit for membership		913	\$400.00
5 Alicia / Lorman	MCLE Provider	4 MCLE program outlines		1=10,659 1=12408 1=12463 1=15000	\$2,021.20
6 Jennifer Bennett / Bar Assn of SF	County Bar	New Add welcome letter		742	\$400.00
7 FOUNDATION - AFC	approved sponsor	CA Attorney Banking Center		125,166	\$2,503.32
8 FOUNDATION - CFS Affinity Services	approved sponsor	Student loan consolidation		27,577	\$551.54
				TOTAL	\$9,642.94

<u>MARCH 2005</u>		<u>BUSINESS ENTITY</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
1	Heather Adler / Legal Secretaries Forum	MCLE Provider	Program outline	13,536	\$541.44
2	Alicia / Lorman	MCLE Provider	3 MCLE program outline	2 files 1=15,000 1=12,447	\$1,697.88
3	Hunt Ball / Vern Schooley	Specialty Organization	Membership solicitation	2,083	\$83.32
4	Hunt Ball / Vern Schooley	Specialty Organization	Welcome letter and organization outline	212	\$40.00
5	Santa Clara County Bar / Cindy Gaertner	County Bar	Membership solicitation	10,051	\$402.04
6	San Joaquin College of Law / Kasi Weite	MCLE provider	Course outline	2,457	\$98.28
7	Lorman / Alicia	MCLE provider	3 course outlines	3 files 1=10,869 1=15,000 1=10,640	\$1,460.36
8	Lorman / Alicia	MCLE provider	Course outline	15,000	\$600.00
9	Lorman / Alicia	MCLE provider	Course outline	13,710	\$548.40
10	Foundation - Premiere / Larry Jeffres	Foundation sponsor	2 week free trial of ReadyConference	20,000	\$400.00
TOTAL				\$5,871.72	
<u>APRIL 2005</u>		<u>BUSINESS ENTITY</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
1	Lorman / Alicia	MCLE provider	Course outline	2 files 1=12,613 1=15,000	\$1,104.52
2	Lorman / Alicia	MCLE provider	Course outline	7 files 3=15,000/1=13,689/1=12,603/2=12,3	\$3,840.00
3	Daily Journal / Mona Luna	Established legal directory	Directory information	2,718	\$400.00
4	Federal Bar Assoc - LA / Rebecca Cien	MCLE provider	Course outline	942	\$400.00
5	ABOTA / Elaine Flynn	MCLE provider	Course outline	9,779	\$400.00
6	Alameda County Bar / Sany Black	County Bar Assoc	Congratulations letter	102	\$40.00
7	BOG Candidate / Richard Millar Jr	BOG Candidate	Voting Election	12,216	\$522.00
8	Harte Hanks - FOUNDATION sponsor	Foundation Sponsor	Credit Card app	134,049	\$2,680.98
9	ABOTA / Elaine Flynn	MCLE provider	Course outline	26,450	\$1,058.00
10	Pincus Communication / Faith Pincus	MCLE provider	Course outline	8,611	\$400.00
11	Lorman / Alicia	MCLE provider	Course outline	2 Efiles 1=15000 1=15,000	\$1,200.00
12	TelePacific Communications	MCLE provider	Course outline	3,000	\$120.00
TOTAL				\$12,165.50	

<u>MAY 2005</u>		<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
<u>ENTITY</u>					
1 Lawyers Club of SF / Stacie Eiras	MCLE Provider	Stepping into the Reality Program	578		\$40.00
2 Council of the Better Business Bureau	MCLE Provider	2005 BBB Arbitration	10,000		\$400.00
3 Santa Clara County Bar / Cindy Garther	County Bar Assn	Outline of benefits and services	9,248		\$400.00
4 Law.Com / Cicero DeGuzman	MCLE Provider	MCLE deadline reminder and outline	28,921		\$1,556.84
5 Law Seminars / Maury Davenport	MCLE Provider	Course outline	65,430		\$2,617.20
6 Lorman / Alicia	MCLE Provider	Course outline	3 Efiles 1-12,334 1-12,567 1-12,334		\$1,489.40
7 Lorman / Alicia	MCLE Provider	Course outline	3 Efiles 1-15,000 1-12,316 1-12,545		\$1,594.44
		TOTAL			\$8,097.88
<u>JUNE 2005</u>		<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
<u>ENTITY</u>					
1 Foundation / Premiere	Foundation sponsor	Saving \$\$\$ on Telephone Conference calls	64,562		\$2,582.48
2 Law Seminars / Maury Davenport	MCLE provider	Course outline	cancelled		\$0.00
3 National Academy of Cont Ed	MCLE provider	Course outline	35,863		\$1,434.52
4 San Diego Co Bar / Sandy Kostelnik	County Bar Assn	solicitation The Power of Membership	117		\$400.00
5 Lorman / Alicia	MCLE provider	Course outline	3 efiles 15,000 each		\$1,800.00
6 Consumer Attorneys of LA / Cindy Cantu	MCLE provider	CAALA's Las Vegas Convention	111,259		\$4,450.36
7 Lorman / Alicia	MCLE provider	Course outline	6 efiles 5 @15,000 1@13713		\$3,548.64
8 Foundation (Dell) / Leslie Hatamya	Foundation for sponsor	August catalog	133891 @.02		\$2,677.82
9 Foundation (MBNA) / Leslie Hatamya	Foundation for sponsor	credit card application	134139 @.02		\$2,682.78
		TOTAL			\$19,576.60

<u>JULY 2005</u>	<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
ENTITY				
1 Law Prose Inc / Pan Garner	MCLE provider	Advance Legal Writing seminar info	123,774	\$4,950.96
2 Alameda County Bar / Kavita Ferregur	County Bar	Congratulations letter to New Adds	40	\$40.00
3 LA County Bar / Gail Coleman	County Bar	LA Superior Court and Litigation MCLE	3,202	\$128.08
4 Lorman / Alicia	MCLE provider	4 MCLE course outlines	2 @ 15,000	\$2,297.68
5 Lorman / Alicia	MCLE provider	Expert Witness MCLE course outline	12,237	\$489.48
6 Lorman / Alicia	MCLE provider	4 MCLE course outlines	3 @ 15,000	\$2,348.56
7 Kern County Bar / Wendy Ash	County Bar	2005 Bench and Bar Special	732	\$40.00
8 Orange County Bar / Janis Cartwright	County Bar	Congratulations letter to New Adds	116	\$40.00
9 Lorman / Alicia	MCLE provider	3 MCLE course outlines	3 @ 15,000	\$1,800.00
10 Bet Tzedek / Gina Lobaco	MCLE provider	Specialty association	10,582	\$434.08
		TOTAL		\$12,568.84

<u>AUGUST 2005</u>	<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
ENTITY				
1 Contra Costa County Bar / C. Morrissey	County Bar	Bridging the Gap	96	\$40.00
2 Foundation of the Bar / Dell	Foundation Sponsor	Solicit Funding	133,961	\$2,679.22
3 LA County Bar / Karen Benjaminne	County Bar	Congratulation and Membership drive	500	\$400.00
4 San Diego County Bar / Sandy Kostelny	County Bar	2006 Membership Application	11,310	\$452.40
5 San Joaquin College of Law / Kasi Weltes	MCLE Provider	Seminar outline of events	6,863	\$400.00
6 Marc Sallus / for ABA	CDCBA	Conference of Delegates	7,090	\$400.00
7 Lorman / Alicia	MCLE Provider	4-efiles MCLE outline of events	2 @ 15,000	\$2,170.04
8 The Likeable Lawyer / Brian Hammer	MCLE Provider	MCLE "The Trusted Lawyer"	15,670	\$26,80
9 Ulrich and Nash / Laurence Freeman	MCLE Provider	MCLE "All in One CLE"	38,937	\$1,557.48
10 Pepperdine Univ / Elizabeth Meyer	MCLE Provider	PEPNET program outline	57,533	\$2,301.32
11 Fresno County Bar / Bobby Lee	County Bar	2006 FCSA Membership App	2,350	\$94.00
12 LA County Bar / Samuel Lipsman	County Bar	LA Lawyer magazine	31,112	\$1,244.48
13 Legal Services of N Cal / Lorilli Ostman	Legal Aid Society	solicitation of membership funds	9,795	\$400.00
14 SunGard / Andrea Pennell	MCLE Provider	Specialty Workshops	10,000	\$400.00
15 FOBO TA / Elaine Flynn	MCLE Provider	Masters in Trial	7,888	\$400.00
16 Orange County Bar / Janis Cartwright	County Bar	2006 Membership Application	12,210	\$488.40
17 The Bar Assoc of SF / Jennifer Bennett	County Bar	membership solicitation	287	\$400.00
18 Council of The Better Business Bureaus	MCLE Provider	BBB Auto Line Program	10,000	\$400.00
		TOTAL		\$14,854.14

SEPTEMBER 2005		BUSINESS ENTITY	PURPOSE OF MAILING	RECORDS SENT	BILLED
1	Nyingma Institute / Robin Caton	MCLE Provider	MCLE course outline for Nov - Jan	5,799	\$400.00
2	Jim Yoppolo / CSCHS	CA Supreme Court Hist.	thank you to donators through fee bill	6,498	\$400.00
3	Pro Bono Project / Gail Williams	Legal Aid /MCLE provider	MCLE Family Law training	359	\$400.00
4	National Center for Cont Education	MCLE Provider	Two Day MBA for Attorneys information	18,989	\$759.56
5	The Likeable Lawyer / Brian Hammer	MCLE Provider	MCLE program outline	15,620	\$624.80
6	Foundation for MBNA / Leslie Hatamiya	Foundation of the State Bar	MBNA sponsored mailing	133,480	\$2,669.60
7	Foundation for DELL / Leslie Hatamiya	Foundation of the State Bar	DELL sponsored mailing	133,441	\$2,668.82
8	Pincus / Faith Pincus	MCLE Provider	Law Clerks seminar	10,000	\$400.00
9	Lorman Education / Alicia	MCLE Provider	MCLE program outline	6 Efiles - 2 @15,000 2@10,554 1@ 13688	\$3,613.20
10	Lorman Education / Alicia	MCLE Provider	MCLE program outline	2 Efiles - 1@15,000 1@12,489	\$1,099.56
Total					\$13,035.54
OCTOBER 2005		BUSINESS ENTITY	PURPOSE OF MAILING	RECORDS SENT	BILLED
1	Ball/Hunt / Vern Schooley	Specialty Bar	Welcome Letter	66	\$40.00
2	Contra Costa Bar / Christine Morrissey	County Bar Assoc	MCLE outline	1,000	\$40.00
3	Foundation for eGrad / Leslie Hatamiya	Foundation of the State Bar	eGrad sponsored mailing	1,380	\$200.00
4	Lorman Education / Alicia	MCLE Provider	MCLE program outline	4 files 2@4859 1@10473 1@13569	\$1,760.76
5	Lorman Education / Alicia	MCLE Provider	MCLE program outline	13,639	\$545.56
6	Council of Better Business Bureaus	MCLE Provider	Arbitrator Training	5,084	\$400.00
7	Desert Bar / Donald Griffith	County Bar Assoc	Application solicitation	688	\$40.00
8	Negotiation Strategy Institute	MCLE Provider	Cutting Edge Negotiation program	133,169	\$5,326.76
9	Nevada County Bar / Michael Colantuono	County Bar Assoc	membership solicitation	241	\$40.00
10	Foundation for Dell / Leslie Hatamiya	Foundation of the State Bar	Dell sponsor mailing	132,608	\$2,652.16
11	Bevenley Hills Bar / Pamela Weston	Specialty Bar Assoc	MCLE extravaganza program	6,210	\$400.00
TOTAL					\$11,445.24

NOVEMBER 2005	ENTITY	BUSINESS	PURPOSE OF MAILING
1 Santa Cruz County Bar / Linda Martin		County Bar	Membership solicitation
2 David White & Assoc / Carol Keller		Approved Insurance provider	Insurance solicitation
3 Foundation of the Bar / Leslie Hatamiya		Foundation of the State Bar	Dell Sponsor
4 Lorman Education / Alicia		MCLE Provider	MCLE seminar outline
5 The Rutter Group / Kalman Zimblerly		MCLE Provider	Seminar outline
6 UOP McGeorge School of Law		MCLE Provider	Seminar outline
7 Lorman Education / Alicia		MCLE Provider	Seminar outline
8 ABOTA / Elaine Flynn		MCLE Provider	Seminar outline
9 Lorman Education / Alicia		MCLE Provider	Course outline
10 Lorman Education / Alicia		MCLE Provider	Course outline
11 Lorman Education / Alicia		MCLE Provider	Course outline
12 Lorman Education / Alicia		MCLE Provider	Course outline
13 San Fernando Valley Bar / Elizabeth Post		MCLE Provider	MCLE Marathon outline
14 North County Bar Assn / Mary Cervantes		Specialty Bar Assn	Bridging the Gap
15 Ali - Aba / Sarah Ausprich		MCLE Provider	Course outline
16 San Joaquin College of Law / Kasi Weite		MCLE Provider	Seminar outline
17 The Rutter Group / Kalman Zempleny II		MCLE Provider	2006 MCLE Video Marathon
18 Dale Carnegie Training		MCLE Provider	High Impact Presentations
19 Daily Journal / Mona Lisa		Approved Directory	Directory

RECORDS SENT	BILLED
611	\$40.00
46,582	\$1,863.28
132,560	\$2,651.20
11,159	\$446.36
35,540	\$1,421.60
6,307	\$400.00
3 files 1=15,000 2=13,150	\$1,652.00
8,347	\$400.00
15,000	\$600.00
12,098	\$483.92
2 @ 15,000	\$1,200.00
6,746	\$400.00
2,437	\$400.00
86	\$40.00
38,339	\$1,533.56
3,445	\$400.00
35,503	\$1,420.12
27,490	\$1,099.60
122,110	\$4,884.40
	\$21,336.04
	TOTAL

DECEMBER 2005	ENTITY	BUSINESS	PURPOSE OF MAILING
1 San Luis Obispo / Michael Blank		MCLE Provider	Membership Solicitation
2 Kinder Legal / Gary Kinder		MCLE Provider	Course outline
3 Lorman Education / Alicia		MCLE Provider	Course outline
4 Foundation of the Bar / Leslie		Foundation of the State Bar	sponsor MBNA
5 TRT / Nett Brown		MCLE Provider	Course outline
6 Santa Barbara Co Bar Foundation		County Bar	Course outline
7 Lorman Education / Alicia		MCLE Provider	Membership Solicitation
8 Interactive Seminars / Jacque Godfrey		MCLE Provider	Course outline
9 CBBB / Annette Lee		MCLE Provider	Seminar outline
10 PLI / Jim Silvestine		MCLE Provider	Training Outline
11 Lorman Education / Alicia		MCLE Provider	Course outline
12 Lorman Education / Alicia		MCLE Provider	Course outline
13 Foundation of The Bar / Leslie		State Bar Foundation	Sponsor MBNA
14 Senior Legal Hotline / David Mandel		Specialty Bar	Membership solicitation

BILLED	RECORDS SENT	\$
567	567	\$400.00
4,101		\$400.00
15,000		\$600.00
13,420		\$2,644.58
1,006		\$536.76
3 Efiles 1@13,106 - 2@15,000		\$40.24
6,686		\$1,724.24
42,820		\$400.00
7,500		\$2,156.72
4 Efiles		\$1,124.28
2 Efiles		\$2,669.66
133483 @.02		\$89.40
1065 and 1170		
		\$14,898.68
	TOTAL	
		\$155,958.76
	2005 Grand Total	

2005 STATISTICS

Total Request 145
 County Bars = 26
 MCLE = 86
 Insurance = 1
 Courts = 1
 Foundation = 15
 Conference of Delegates = 1
 Specialty Bars = 8
 Legal Aid / Lawyer Referral = 3
 Legal Directory = 2
 BOG Candidates = 2

JANUARY 2006		<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
1	Santa Cruz Co Bar / Linda Martin	County Bar	Annual meeting and dinner recruitment	608	\$40.00
2	Orange County Bar / Janis Cartwright	County Bar	Congratulation and Membership drive	295	\$40.00
3	Psycho-Legal / Michael Dennis	MCLE Provider	Program outline	11,417	\$456.68
4	Lorman Education / Alicia	MCLE Provider	3 MCLE programs	1=13641 1=15,000 1=11,223	\$1,594.56
5	ABOTA / Elaine Flynn	MCLE Provider	Masters in Trial	10,629	\$425.16
6	CA Special Districts / B Darcel Harris	MCLE Provider	Program outline	8,555	\$400.00
					\$2,956.40
FEBRUARY 2006		<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
1	Lorman Education / Alicia	MCLE Provider	Program outline	11,207	\$448.28
2	Lorman Education / Alicia	MCLE Provider	Program outline	8,229	\$400.00
3	Marsh Affinity / Bryan Brown	Approved Insurance provider	Insurance offer	133,763	\$5,350.52
4	Kinder Legal / Gary Kinder	MCLE Provider	MCLE program outline	40,444	\$1,617.76
5	Queens Bench/ Kelly Robbins	Specialty Bar	Welcome letter to new admitttees	757	\$40.00
6	AOC / Philip Carrizosa	ACIC	New add welcome from Chief Justice	3,354	\$134.16
7	Contra Costa County Bar	County Bar Association	Bridging the Gap	67	\$40.00
8	LA County Bar / Erica Leon	County Bar Association	LA Superior Court Litigation Program	4,072	\$40.00
9	Dave White and Associates / Carol Keller	Approved Insurance program	Insurance information	4,856	\$400.00
10	ABOTA / Elaine Flynn	MCLE Provider	Trial Demonstration outline	16,200	\$648.00
11	Lorman Education / Alicia	MCLE Provider	Program outline	2 files 1=11,166 1=12,226	\$1,382.32
12	Lorman Education / Alicia	MCLE Provider	Program outline	11,156	\$446.24
13	Foundation / MBNA	Foundation Sponsor	MBNA sponsor/April 06 AMEX Card Mailer	133,110	\$2,662.20
14	Consumer Attnys Association of LA	MCLE Provider	Program and Schedule	10,793	\$431.72
15	Bail/Hunt American Ins of Court	Specialty Bar Association	Welcome letter to new addis	67	\$40.00
16	Santa Cruz Co Bar Assn / Linda Martin	County Bar Association	Annual Meeting and Installation of Board	600	\$40.00
17	Lorman Education / Alicia	MCLE Provider	Depositions	12,192	\$487.68
					\$14,608.88

MARCH 2006**ENTITY**

<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>BILLED</u>
1 Foundation / Leslie Hatamiya	Sponsor- UPS	\$2,447.44
2 Ventura County Bar / Sonia Hernandez	County Bar Directory	\$400.00
3 Consor / Susanne Warnick	Fundamentals of Intellic Property	\$778.68
4 Lorman Education / Alicia	Discovery	\$600.00
5 Lorman Education / Alicia	Depositions	\$600.00
6 Lorman Education / Alicia	Discovery and ACV DEPOS	\$1,044.28
7 ALI - ABA / Sarah Ausprich	Online course	\$400.00
8 Liberty Mutual Insurance / Joy Hartley	Insurance	\$5,267.40
9 San Joaquin College of Law / Kasi Weite	Course registration	\$100.48
10 Lorman Education / Alicia	3 Efiles - course outline	\$1,643.64
11 Law Prose / Pan Garner	Course outline	\$637.48
		\$13,919.40

APRIL 2006**ENTITY**

<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>BILLED</u>
1 Santa Cruz County Bar / Linda Martin	County Bar - MCLE provider	599
2 BOG Candidate / John Dutton	BCG Candidate	2,502
3 Xtreme Legal Tactics / CarlieChirinian	MCLE Provider	20,000
4 CSCHS / Jim Yoppolo	CA Historical Society	6,393
5 Foundation of the Bar / Leslie Hatamiya	Foundation of the Bar	5,326
6 LA County Bar / Karen Benjeman	County Bar - MCLE provider	1,066
7 Legal Services of Northern CA	Legal Aid society	6,218
8 ABOTA / Elaine Flynn	MCLE course outline	8,794
9 ABOTA / Elaine Flynn	MCLE Provider	40,891
10 Lorman Education / Alicia	MCLE course outline	6Files 3=15,000 2=11,072 1=13,549
11 Lorman Education / Alicia	MCLE Provider	2Files 1=14,448 1= 13,542
12 Lorman Education / Alicia	MCLE Provider	2Files 2=13,533
13 BOG Candidate / John Peterson	BCG Candidate	2,586
14 Lorman Education / Alicia	MCLE Provider	1,500
15 Foundation of the Bar / Leslie Hatamiya	Foundation of the Bar	7 efiles @ \$200 50% off
16 Foundation of the Bar / Leslie Hatamiya	Foundation of the Bar	132,171
17 Foundation of the Bar / Leslie Hatamiya	Foundation of the Bar	121,700
		\$16,986.54

MAY 2006**ENTITY**

- 1 Liberty Mutual / Joy Hartley
 2 DJ Global / Jennifer Bachtel
 3 The Lawyers Club of SF / Stacie Eiras
 4 Alameda County Bar / Sandy Black
 5 Foundation / Leslie
 6 Lorman Education / Alicia
 7 Jennifer Johnston

BUSINESS

- Approved Insurance provider
 MCLE Provider
 Specialty Bar
 County Bar
 Foundation of the Bar
 MCLE Provider
 MCLE Provider

PURPOSE OF MAILING

- membership solicitation
 MCLE course outline
 MCLE course outline
 Bar membership drive
 Sponsor CFS-eGrad
 MCLE course outline
 MCLE course outline

BILLED

\$5,245.44
 \$423.40
 \$43.56
 \$40.00
 \$317.66
 \$442.60
 \$479.92

JUNE 2006**ENTITY**

- 1 Institute for Natural Resources
 2 Alameda County Bar / Kavita Comilio
 3 Napa Superior Court / Connie Brennan
 4 Lorman Education / Alicia
 5 Foundation of the State Bar
 6 San Diego Bar Assn / Sandy Kostelnik
 7 Consumer Attorneys Assn of LA
 8 Beverly Hills Bar Assn / Pamela Weston
 9 Alameda County Bar / Shannon Goelke
 10 Foundation of the State Bar
 11 Liberty Insurance

BUSINESS

- MCLE Provider
 County Bar
 Court
 MCLE Provider
 Foundation
 County Bar Assn
 Spec. Bar Assn - MCLE prov.
 County Bar Assn
 County Bar Assn
 Foundation
 Approved Insurance provider

PURPOSE OF MAILING

- MCLE course outline
 New Add welcome letter
 Superior Court Bar Survey
 MCLE course outline
 sponsor MBNA
 Membership Application
 MCLE program Las Vegas Convention
 Practical Aspects of Practicing Law
 Judicial Evaluation Survey
 sponsor CFS/Private Ed letter
 Inactive member to complete previous order

BILLED

\$2,996.24
 \$400.00
 \$40.00
 \$600.00
 \$2,639.40
 \$447.36
 \$4,379.20
 \$400.00
 \$208.20
 \$2,651.44
 \$1,437.24

\$6,992.58

RECORDS SENT

131,136
 10,585
 1,089
 5,173
 15,883 reuse
 11,065
 11,998

\$16,199.08

RECORDS SENT

131,136
 10,585
 1,089
 5,173
 15,883 reuse
 11,065
 11,998

\$16,199.08

JULY 2006

<u>ENTITY</u>	<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>BILLED</u>
1 State of The Art Seminars Legal -Carol	MCLE Provider	MCLE course outline	\$1,065.56
2 State of The Art Seminars Legal -Carol	MCLE Provider	MCLE course outline	\$1,065.56
3 State of The Art Seminars Legal -Carol	MCLE Provider	MCLE course outline	\$1,065.56
4 Lorman Education - Alicia	MCLE Provider	MCLE course outline	\$1,871.76
5 Lorman Education - Alicia	MCLE Provider	MCLE course outline	\$1,498.36
6 Contra Costa County Bar - C. Morrissey	County Bar	MCLE course outline	\$600.00
7 Lorman Education - Alicia	MCLE Provider	MCLE course outline	\$40.00
8 Lorman Education - Alicia	MCLE Provider	MCLE course outline	\$550.28
9 Lorman Education - Alicia	MCLE Provider	MCLE course outline	\$1,200.00
10 Lorman Education - Alicia	MCLE Provider	MCLE course outline	\$400.00
11 AOC Office of Communication	AOC	New Admittees letter	\$400.00
12 Dave White and Associates - Carol Keller	Approved Insurance Provider	Insurance information	\$61.36
13 CBBB - Phil Bakin	MCLE Provider	The BBB online program	\$1,534
14 CBBB - Phil Bakin	MCLE Provider	The BBB online program	\$3,706
15 San Joaquin College of Law - Kasi Weite	MCLE Provider	19th Annual Central CA Bankruptcy Institute	\$10,000
16 Prop 65 News - Roger Carrick	MCLE Provider	MCLE course outline	\$3,159
17 State of the Art Seminars	MCLE Provider	1st Annual Estate Planning and Tax Institute	6,730
18 State of the Art Seminars -	MCLE Provider	1st Annual Estate Planning and Tax Institute	12,942
			\$857.84
			\$1,085.88
			27,147

AUGUST 2006

<u>ENTITY</u>	<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>BILLED</u>
1 Santa Cruz County Bar - Linda Martin	County Bar Assn	Lawyer Referral Information	\$40.00
2 Ulrich, Nash, Gump - Larry Freeman	MCLE Provider	MCLE course outline	\$1,867.08
3 PLI -Nadine Hayan	MCLE Provider	MCLE course outline	\$1,867.08
4 Lorman Education - Liz Longford	MCLE Provider	MCLE course outline	\$400.00
5 Lorman Education - Liz Longford	MCLE Provider	MCLE course outline	\$400.00
6 LA County Bar Assn - Karen Benjamin	County Bar Assn	Congrats/1 year free membership	\$400.00
7 Foundation of the Bar	Foundation of the State Bar	MBNA sponsor	\$2,650.96
			132,548

\$12,814.28

\$7,625.12

RECORDS SENT

<u>RECORDS SENT</u>	<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>BILLED</u>
26,639	MCLE Provider	MCLE course outline	\$1,065.56
26639 REUSE			\$1,065.56
46,794	MCLE Provider	MCLE course outline	\$1,871.76
3 files 1=11,360 1=15,000 1= 11,099			
15,000	MCLE Provider	MCLE course outline	\$1,498.36
95	County Bar	MCLE course outline	\$600.00
13,757	MCLE Provider	MCLE course outline	\$40.00
2Efils 15,000 each			
5,000	MCLE Provider	MCLE course outline	\$550.28
5,000	MCLE Provider	MCLE course outline	\$1,200.00
5,000	MCLE Provider	MCLE course outline	\$400.00
5,000	MCLE Provider	MCLE course outline	\$400.00
3,706	New Admittees letter	Insurance information	\$400.00
10,000	Approved Insurance Provider	The BBB online program	\$400.00
3,159	MCLE Provider	The BBB online program	\$400.00
6,730	MCLE Provider	19th Annual Central CA Bankruptcy Institute	\$400.00
12,942	MCLE Provider	MCLE course outline	\$400.00
21,446	MCLE Provider	1st Annual Estate Planning and Tax Institute	\$400.00
27,147	MCLE Provider	1st Annual Estate Planning and Tax Institute	\$400.00

RECORDS SENT

<u>RECORDS SENT</u>	<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>BILLED</u>
592	MCLE Provider	MCLE course outline	\$40.00
46,677	MCLE Provider	MCLE course outline	\$1,867.08
46,436	MCLE Provider	MCLE course outline	\$1,867.08
7,000	MCLE Provider	MCLE course outline	\$400.00
5,000	MCLE Provider	MCLE course outline	\$400.00
1,066	County Bar Assn	Congrats/1 year free membership	\$400.00
132,548	Foundation of the State Bar	MBNA sponsor	\$2,650.96

SEPTEMBER 2006		BUSINESS	PURPOSE OF MAILING	RECORDS SENT	BILLED
<u>ENTITY</u>					
1 Lorman Education - Liz Longford	MCLE Provider	MCLE course outline	2 files 1= 5000 1= 12,000	5,000	\$880.00
2 Lorman Education - Liz Longford	MCLE Provider	MCLE course outline			\$400.00
3 LawWorm.com - Candace Filarey-Brody	MCLE Provider	MCLE course outline for brochure		46,630	\$1,865.20
4 Rutter Group - Kaiman Zempleny	MCLE Provider	Civil Procedure Before Trial		20,764	\$830.56
5 Rutter Group - Kaiman Zempleny	MCLE Provider	Family Law 101 course outline		13,508	\$540.32
6 National Law Foundation	MCLE Provider	MCLE course outline		46,653	\$1,866.12
7 LA County Bar - Jamie Conway	County Bar	MCLE course outline		3 fil 1=11,234 1=49,473 1=10,766	\$2,858.92
8 LA County Bar - Samuel Lipsman	County Bar	Survival Guide for New Attorneys		30,045	\$1,201.80
9 Fresno County Bar - Bobbie Lee	County Bar	Membership Application		2,258	\$90.32
10 Legal Svcs of N CA - Lorili Ostman	Legal Services	Membership solicitation		9,646	\$400.00
11 The Likeable Lawyer - Lauren Lyons	MCLE Provider	MCLE course outline		41,835	\$1,673.40
12 CLE International - Jill Shannon	MCLE Provider	MCLE course outline		1,000	\$400.00
13 CLE International - Jill Shannon	MCLE Provider	MCLE course outline		2,000	\$400.00
15 Negotiation Strategy Institute - David Gold	MCLE Provider	MCLE course outline		132,092	\$5,283.68
16 Law Seminars - Maury Davenport	MCLE Provider	MCLE course outline		46,572	
					\$20,553.24
OCTOBER 2006		BUSINESS	PURPOSE OF MAILING	RECORDS SENT	BILLED
<u>ENTITY</u>					
1 ABOTA - Elaine Flynn	MCLE Provider	MCLE course outline		8,207	\$400.00
2 Lorman Education Services - Liz	MCLE Provider	MCLE course outline		5,000	\$400.00
3 Superior Court CA Santa Barbara	Court	Special Oral Argument Session		3,720	\$400.00
4 Institute for Natural Resources	MCLE Provider	MCLE course outline		25,289	\$1,011.56
5 Nyingma Institute - Julia Witwer	MCLE Provider	MCLE course outline		6,740	\$400.00
6 CLE International - Jill Shannon	MCLE Provider	MCLE course outline		8,874	\$400.00
7 Beverly Hill Bar Assn - Pamela Weston	County Bar	MCLE course outline		7,273	\$400.00
8 The Seminar Group - Ellen Rice	MCLE Provider	MCLE course outline		24,328	\$973.12
9 The Likeable Lawyer - Lauren Lyons-Cole	MCLE Provider	MCLE course outline		25,023	\$1,000.92
10 Foundation of The State Bar - L.Hatamiya	For CFS	Approved Foundation Supporter		5,096	\$200.00
11 Foundation of The State Bar - L. Hatamiya	Foundation of the Bar	Donators thank you note		801	\$200.00
12 Ball / Hunt Inn of Court - Vern Schooley	Specialty Bar	Membership solicitation		66	\$40.00
13 Contra Costa County Bar Ass	County Bar	MCLE course outline		1,220	\$48.80
14 Superior Court Santa Barbara - Jim Brook	Court	Court Announcement		3,720	\$400.00
15 Lorman Education - Liz	MCLE Provider	MCLE course outline		5,000	\$400.00
16 Bar Assn of SF - Jennifer Bennett	County Bar	BASF newspaper		12,846	\$513.84
					\$7,188.24

NOVEMBER 2006	
<u>ENTITY</u>	<u>BUSINESS</u>
1 McGeroge School of Law - Kami Wong	MCLE Provider
2 San Joaquin College of Law - Kasi Weite	MCLE Provider
3 Lorman Education - Liz	MCLE Provider
4 Santa Barbara County Bar - Maria Elosu	County Bar
5 ALI-ABA - Sarah Ausprich	MCLE Provider
6 Santa Cruz County Bar - Linda Martin	County Bar
7 TRT Inc - Nett Brown	MCLE Provider
8 University of Sacramento - Kathy Conner	MCLE Provider
9 CSCHS - Jim Yoppolo	CA Superior Court Hist. Soc.
10 Long Beach Bar Assn - Vern Schooley	County Bar
11 Bar Assn of SF - Jennifer Bennett	County Bar

DECEMBER 2006	
<u>ENTITY</u>	<u>BUSINESS</u>
1 Santa Clara County Bar - C. Gartner	MCLE Provider
2 San Luis Obispo Legal Alt. Corp	MCLE Provider
3 Lorman Education Services - Liz	MCLE Provider
4 San Fernando Valley Bar - E. Post	County Bar
5 Pincus - Faith Pincus	MCLE Provider
6 Pincus - Faith Pincus	MCLE Provider
7 ABOTA - Elaine Flynn	MCLE Provider
8 Kinder Legal - Gary Kinder	MCLE Provider
9 Rutter Group - Kalman Zempleny II	MCLE Provider
10 The Likeable Lawyer - L. Lyons-Cole	MCLE Provider
11 Law.Com - Cicero DeGuzman	County Bar
12 Ventura County Bar - Alice Duran	MCLE Provider
13 Nat. Academy of Cont. Legal Ed	

PURPOSE OF MAILING	
<u>RECORDS SENT</u>	<u>BILLED</u>
MCLE course outline	6,129
MCLE course outline	2,764
MCLE course outline	5,000
Membership solicitation	1,132
MCLE course outline	46,020
Membership solicitation	585
MCLE course outline	16,227
MCLE course outline	2,657
Donators to the CSCHS =	795
Membership solicitation	2,124
Membership solicitation	12,832

PURPOSE OF MAILING	
<u>RECORDS SENT</u>	<u>BILLED</u>
MCLE course outline	9,526
MCLE course outline	569
MCLE course outline	5,000
Membership solicitation	2,947
MCLE course outline	10,628
MCLE course outline	25,709
MCLE course outline	18,310
MCLE course outline	4,128
MCLE course outline	42,394
MCLE course outline	5,379
MCLE course outline	46,216
Membership solicitation	897
MCLE course outline	46,574

<u>TOTAL</u>	<u>\$10,014.28</u>
2006 Grand Total	\$134,737.72

2006 STATISTICS
 Total Request 149
 County Bars = 26
 MCLE = 90
 Insurance = 6
 Courts = 5
 Foundation = 12
 Historical Society = 2
 Specialty Bars = 4
 Legal Aid/ Lawyer Referral = 2
 BOG Candidates = 2

JANUARY 2007		<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
ENTITY		County Bar	Membership solicitation	589	\$40.00
1 Santa Cruz Co Bar / Linda Martin		County Bar	2007 Membership Application	1,993	\$79.72
2 Ventura County Bar / Alice Duran		MCLE Provider	Sac Depositions	5,000	\$400.00
3 Lorman Education / Alicia		Admin Offices of the Courts	New Add welcome letter	3,708	\$148.32
4 AOC - Lynne Mayo		County Bar	Litigation Program	5,749	\$229.96
5 LA County Bar - Erica Leon		County Bar	Lunchion to solicitate membership	225	\$40.00
6 El Dorado County Bar - Steven Baily Esq		MCLE provider	2. Seminar program outlines	3,300	\$80.00
7 Lorman Education - Alicia		Specialty Bar Assn	3rd Annual Legal Symposium	10,000	\$400.00
8 CA Special Districts Assoc - B Darrel Harris			Total		\$2,138.00
FEBRUARY 2007		<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
ENTITY		County Bar	Welcome to New Adds	934	\$40.00
1 San Mateo County Bar - Deborah Kemper		County Bar	Bridging the Gap	105	\$40.00
2 Contra Costa Cnty Bar-Christine Morrissey		County Bar	Bridging the Gap	348	\$40.00
3 Orange County Bar - Jan Cartwright		MCLE provider	Analyzing Medical Records	642	\$40.00
4 Analyzing Medical Rec. - Jeniffer Johnson		Approved Insurance program	Disability Insurance programs	104,306	\$4,172.24
5 Dave White and Associates - Carol Keller		County Bar	Solicitation of funds	5,091	\$400.00
6 Alameda County Bar - Elizabeth Hom		MCLE provider	Elec Discovery program	5,000	\$400.00
7 Lorman Education Services - Liz Langford			Total		\$5,132.24
MARCH 2007		<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
ENTITY		Foundation	Donator file	9,256	\$200.00
1 Foundation of The State Bar - Leslie		Approved Insurance program	Disability Insurance programs	6,607	\$264.28
2 Dave White and Associates - Carol Keller		County Bar	Bridging the Gap	1,815	\$400.00
3 Alameda County Bar - Kavita Comoglio		County Bar	New Addmittee welcome letter	1,277	\$400.00
4 LA County Bar - Karm Benjamin		MCLE provider	MCLE program outline	56,152	\$2,246.08
5 Gary Kinder - Kinder Legal		Specialty Bar	Annual Induction Ceremony Reception	810	\$40.00
6 Queens Bench - Barbara Harris Chiang		MCLE provider	10 Annual Trial Lawyer Skills for New Attorney 11,542		\$461.68
7 Consumer Attlys Assn of LA - Cindy Cantu		MCLE provider	MCLE program outline	3 files 7,000, 3,000, 3,000	\$1,200.00
8 Lorman Education - Alicia		Specialty Bar	Congratulations to new members solicitation	699	\$400.00
9 Beverly Hills Bar Assn		Specialty Bar	Membership solicitation	1,197	\$47.88
10 Long Beach Bar Assn / Vern Schooley			Total		\$5,659.92
APRIL 2007		<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
ENTITY		MCLE Provider	MCLE program outline	7,694	\$400.00
1 ABOTA - Jo Ann Murray and Elaine Flynn		CA Historical Society	Donators lists	6,434	\$200.00
2 CSCHS - Jim Yoppolo		BOG election candidate	Election Campaign	3,817	\$348.00
3 BOG Candidate - Theresa La Voie		BOG election candidate	Election Campaign	3,820	\$400.00
4 BOG Candidate - Theresa La Voie		County Bar	Membership solicitation	2,717	\$400.00
5 Orange County Bar Assn- Janis Cartwright		MCLE Provider	MCLE program Lobbying for Laywers 101/2014,560		\$400.00
6 Capitol Seminars - Ken Mandler		Insurances	Insurance available to members	129,717	\$5,188.68
7 Liberty Mutual Insurance - Joy Hartley		MCLE Provider	MCLE program outline	26,118	\$1,044.72
8 ABOTA - Elaine Flynn					

Total \$7,033.40

MAY 2007		<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
<u>ENTITY</u>					
1 S. Barbara Cnty Bar Fnd -Marilyn Anticouni	Specialty Bar Association	Fund support letter	894	\$40.00	\$40.00
2 El Dorado County Bar Assn - Steven Bailey	County Bar	Inaugural Training Luncheon	118	\$40.00	\$40.00
3 Law Prose Inc - Michele Jones	MCLE Provider	MCLE program "Winning Brief"	119,238	\$4,769.52	\$922.36
4 Council of Better Bus. Bureaus - Phil Bakin	MCLE Provider	The BBB Auto Line Program	23,059	\$441.96	\$428.96
5 Intl Intelligence Services - Tony Kaufman	MCLE Provider	Ethical Discovery: Investigation Techniques ar	129,717	\$400.00	\$400.00
6 ABOTA - Elaine Flynn	MCLE Provider	MCLE program outline	10,724		
7 Legal Serv. of Northern CA - Nanette Aubut	Legal Services Provider	Membership solicitation	6,039		
		Total		\$7,042.80	
JUNE 2007		<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
<u>ENTITY</u>					
1 CLE International - Margaret Goodman	MCLE Provider	ECEQA Latest Updates on Case Law, Legisla	6,033	\$400.00	\$400.00
2 Council of Better Bus. Bureaus - Phil Bakin	MCLE Provider	The BBB Auto Line Program	2,762	\$400.00	\$400.00
3 The Bar Assn of SF - Jennifer Bennett	County Bar Assoc	The Bar Assoc of SF BULLETIN	12,689	\$507.56	\$40.00
4 El Dorado County Bar - Steven Bailey	County Bar Assoc	Invite "First Barristers Meeting"	46	\$69.12	
5 Jennifer Hightower - CYLA Candidate	CYLA Candidate	Canvassing	1,728		
6 Consumer Atty Assn of LA - Cindy Cantu	MCLE Provider	Las Vegas Convention	2 fil	\$4,585.48	
7 National Center for Cont Education	MCLE Provider	Understanding Corporate Finance	15,063	\$602.52	
8 Lorman Education - Liz	MCLE Provider	Litigation Skill	6,000	\$400.00	
9 State of the Arts Seminars - Adrienne Scher	MCLE Provider	Estate Planning & Tax Institute	129,592	\$5,183.68	
		Total		\$12,188.36	
JULY 2007		<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
<u>ENTITY</u>					
1 Contra Costa Cnty Bar - Christine Morrissey	County Bar	Bridging The Gap	258	\$40.00	\$40.00
2 ABOTA - Elaine Flynn	MCLE Provider	Masters Trial Notebook	6,095	\$400.00	\$400.00
3 LA County Bar Assn - Erica Leon	MCLE Provider	Litigation Skill	3,079	\$123.16	
4 Liberty Mutual Insurances - Joy Hartley	Approved Insurance Provider	Auto Insurance offer	130,256	\$5,210.24	
5 Alameda County Bar Assn - Kavita Comoglio	County Bar	Membership solicitation	7,887	\$400.00	
6 Orange County Bar Assn - Janis Cartwright	County Bar	Briding the Gap	144	\$40.00	
		Total		\$6,213.40	
AUGUST 2007		<u>BUSINESS</u>	<u>PURPOSE OF MAILING</u>	<u>RECORDS SENT</u>	<u>BILLED</u>
<u>ENTITY</u>					
1 Marsh Affinity - Paul Dorroh	Approved Insurance Provider	Group Life DS&D	133,714	\$5,348.56	
2 San Joaquin College of Law - Kasi Welte	MCLE Provider	20th Annual Central CA Bankruptcy Institute.	6,565	\$400.00	
3 Alameda County Bar Assn - Kavita Comoglio	MCLE Provider	Welcome letter to new members	175	\$698.20	
4 ABOTA - Elaine Flynn	MCLE Provider	A Trail Demonstration	17,455		
5 Pinous Communications - Faith Pincus	MCLE Provider	3 Legal Education seminars	20,000	\$800.00	
6 National Law Foundation - Harold Measley	MCLE Provider	3 Legal Education seminars	46,956	\$1,878.24	
7 LA County Bar - Karen Benjamin	County Bar	New Member Congratulations	583	\$400.00	
8 Work Comp School - David DePaolo	MCLE Provider	Bridging the Gap	2,007	\$400.00	
9 Intl Intelligence Svcs - Tony Kaufman	MCLE Provider	Investigations & Evidence Gathering via Intern	43,743	\$1,749.72	
10 PLI - Jim Silvestri	MCLE Provider	PLI CA MCLE Marathon 2007	46,702	\$1,868.08	
11 Ulrich, Nash & Gump - Larry Freeman	MCLE Provider	All in One CLE 3 super Sale	46,954	\$1,878.16	
12 The Rutter Group - Kalman Zemapheny	MCLE Provider	Civil Procedure Before Trial	23,662	\$946.48	
13 Law Seminars, Inc - Maurice Davenport	MCLE Provider	Out line of 4 different courses	46,061	\$1,842.44	

SEPTEMBER 2007		BUSINESS	PURPOSE OF MAILING	RECORDS SENT	BILLED
ENTITY		County Bar	2008 Membership Application	2,295	\$91.80
1 Fresno County Bar - Bobbie Lee		County Bar	Brochure announcing the 13 Annual MCLE Me 1,130		\$45.20
2 Contra Costa City Bar - Christine Morrissey		MCLE Provider	Cutting Edge Negotiation Strategy for Lawyers 13,712		\$548.48
3 Nyngma Institute - Julia Witwer		MCLE Provider	Title "Speaking Attorneys"		\$400.00
4 Pincus Communications - Faith Pincus		Foundation of the Bar	Donators to the Foundation	754	\$200.00
5 CA Bar Foundation - Leslie		MCLE Provider	Understanding Finance & Accounting	6,000	\$400.00
6 National Center for Continuing Education			Total		\$1,685.48
OCTOBER 2007		BUSINESS	PURPOSE OF MAILING	RECORDS SENT	BILLED
ENTITY		MCLE Provider	Title "Qualifyu MCLE Does Not have to be Exp 46,640		\$1,865.60
1 Law Worm.com - Candace Filarey-Brody		MCLE Provider	Cutting Edge Negotiation Strategy for Lawyers 128,851		\$5,154.04
2 Negotiation Strategy Institute - David Gold		County Bar	Bankruptcy - CA Practice Guide		\$400.00
3 Rutter - Kalman Zempleny		MCLE Provider	Membership solicitation	11,043	\$441.72
4 San Diego Co Bar - Wanda Myers		County Bar	Masters In Trial	8,033	\$400.00
5 ABOTA - Elaine Flynn		MCLE Provider	On file with exec staff	132,245	\$5,293.80
6 Marsh Affinity - Paul Dorroh		Life Insurance	Rule of Evidence	3,081	\$400.00
7 Lorman Education -		MCLE Provider	CA MCLE Solutions	46,536	\$1,861.44
8 National Academy of Cont Ed - Lisa Buttacav		MCLE Provider	Total		\$15,816.60
NOVEMBER 2007		BUSINESS	PURPOSE OF MAILING	RECORDS SENT	BILLED
ENTITY		County Bar	Welcome letter	906	\$40.00
1 Santa Barbara County Bar - Marilyn Anticouni		County Bar	Bridging the Gap		\$40.00
2 Kern County Bar - Marisol Ramos		MCLE Provider	MCLE Marathon	716	\$400.00
3 Kinder Legal - Gary Kinder		MCLE Provider	MCLE Marathon	4,119	\$400.00
4 San Joaquin College of Law - Kasi Weite		County Bar	Membership Directory	2,711	\$400.00
5 San Fernando Valley Bar - Elizabeth Post		County Bar	2008 Membership Application	6,622	\$400.00
6 Santa Cruz County Bar - Linda Martin		County Bar	Approved Insurance Compan.Group Insurance	566	\$40.00
7 Liberty Mutual Insurance - Joy Hartley			Total	128,527	\$5,141.08
DECEMBER 2007		BUSINESS	PURPOSE OF MAILING	RECORDS SENT	BILLED
ENTITY		County Bar	11th Annual MCLE Marathon	3,078	\$400.00
1 San Fernando Valley Bar - Elizabeth Post		MCLE Provider	Alumni Association MCLE program	5,968	\$400.00
2 Univ of the Pacific McGeorge - Megan Laurie		Legal Aid Society	Contributions	7,872	\$400.00
3 Legal Svcs of Northern CA - Nanette Aubut		Legal Aid Society	Contributions	6,339	\$400.00
4 Sacramento Child Advoc-Krystal Henrion		MCLE Provider	Federal Court Boot Camp	10,000	\$400.00
5 Pincus Communication Inc - Faith Pincus		MCLE Provider	On line courses outline	46,138	\$1,845.52
6 ALI - ABA - Sarah Ausprich		MCLE Provider	Video Marathon	42,577	\$1,703.08
7 Rutter Group - Kalman Zempleny		County Bar Assn	Bridging the Gap	60	\$40.00
8 N County Bar Assoc - Mary Cervantes		MCLE Provider	Masters In Trial	13,795	\$551.80
9 Orange Cnty Chpt ABOTA-Edward Leonard			Total		\$6,140.40
Grand Total					\$94,076.53

Total Request 98

County Bars = 27
MCLE = 49
Insurance = 7
Courts = 1
Foundation = 2
Historical Society = 1
Specialty Bars = 5
Legal Aid/ Lawyer Referral = 3
BOG Candidates = 2
CYLA Candidates = 1

Chart of Growth in "Opt-outs" - INCLUDES ALL MEMBERS IN ACTIVE & INACTIVE CLASS*

Date Stats Captured	Total # of members who are "opted out" of mail lists	# of members who have opted out since last count	cumulative total # of members who have opted out since 05/20/04	Total Membership at this date	% of Total Membership "Opted Out"
05/20/04	13032	started tracking stats 05/20/04	started tracking stats 05/20/04	≈ 193850	6.7%
02/01/05	17908 (Active: 13078 Inactive: 4452 Other: 378)	4876	4876	198312	9.0%
02/09/06	26276 (Active: 19403 Inactive: 6427 Other: 446)	8368	13244	≈ 203183	12.93%
02/01/07	34197 (Active: 25255 Inactive: 8327 Other: 615)	7921	21165	208506	16.40%
02/01/08	42304 (Active: 31405 Inactive: 10095 Other: 804)	8107	29272	214061	19.76%

* "Active & Inactive class" includes Active, Inactive and Not Eligible status. Last Revised 02/20/08.

MARCH 2008 MOC III
Appendix D

Summary of Public Comment Received to Date

Person	Affiliation	Email	Comment Summary
Adrienne Scher	State of the Art Seminars Legal Division	ascher@saslegaldivision.com	<p>The Proposed MLP revisions will not stop the growth in members choosing to "Opt-Out"</p> <ul style="list-style-type: none"> - Members should be allowed to opt-in to specific mailings. . Official State Bar Mail should state that they are official State Bar mailings . Allow requestors to request segments of the member list by State Bar Section. . Increase fee per member record . The amount of records requested by MCLE and non-MCLE providers is less than 22% . Request is not defined in the agenda item . The ED's discretion needs to be delineated. . Public Policy requires that MCLE providers be allowed to market MLE programs to the members
Cathy Flores Hallinan	Member	challinanmod@aol.com	<p>Member mistook membership list as member search option on the CalBar Website. Member suggested that the member search option not be limited to twice a year. Laila Bartlett responded to the member and clarified that the member list has no relation to the member search option. Upon clarification, member responded that "the proposed changes are reasonable and appropriate"</p>
Mark A. Anderson	Member	maanderwson@aya.yale.edu	<p>Member supports proposed revisions to the MLP. Member is "in favor of restricting the amount of spam/junk email...received"</p>

Elizabeth Post	Executives of California Lawyers' Associations (President)	epost@sfvba.org	Responded on behalf of ECLA's membership- they unanimously oppose the proposed revisions to the MLP. Local Bar requests of the Member list comprise of 22% of total list requests- the associations use the list to contact new admittees, offer cost effective MCLE and referral services, and distribute free directories and periodicals. The State Bar's member list enables the associations to reach out to potential members in their jurisdiction.

Comment Summary

Christine Burdick	Santa Clara County Bar Association	chris@sccba.com	Responded on behalf of the Santa Clara County Bar Association Board of Trustees- they unanimously oppose the proposed revisions to the MLP. While they understand the need to limit access of the list to profit vendors, the local bar associations are non-profit and purchases portions of the list up to six times a year. Limited access would impact the ability to solicit new admits and inform them of the associations activates, information and benefits which "compliment the work of the State Bar".
Steve Henderson	Ventura County Bar Association	steve@vcba.org	Responded on behalf of the Ventura County Bar Association and agrees with the public comment submitted by the Santa Clara County Bar Association
Lisa Reep	Contra Costa County Bar Association	LGreep@CCCBBA.org	Responded on behalf of the Contra Costa County Bar Association and agrees with the public comment submitted by the Santa Clara County Bar Association
Bobbie Lee	Fresno County Bar Association	BobbieLee@fresnocountybar.org	Responded on behalf of the Fresno County Bar Association- the bar associations should be exempt from limited access of the member list. The bar associations have not abused the Membership List and should not be penalized.
James Brock	Superior Court of California, County of Santa Barbara	jbrock@sbcourts.org	The Court uses the member list to populate their Case Management System and to send out CA Supreme Court Special Oral Arguments to members in Ventura, Santa Barbara and San Luis Obispo counties. The Court agrees with the changes since they do not impact the ability of the Court to gain access of the list twice annually as needed.